

# Memorandum

Date: November 14, 2002  
Telephone: ATSS (916) 654-4067  
File: Pico Power Plant - 02-AFC-3

To: William J. Keese, Chairman  
Robert Pernell  
Arthur H. Rosenfeld, Ph.D  
James D. Boyd  
John L. Geesman

From: California Energy Commission  
1516 Ninth Street  
Sacramento, CA 95814-5512

Subject: **REVISED DATA ADEQUACY RECOMMENDATION FOR THE PICO POWER PLANT PROJECT - (02-AFC-3)**

Staff has completed a second round of data adequacy review of the City of Santa Clara's Pico Power Plant Project Application for Certification (AFC) submitted on October 7, 2002. Staff believes that the AFC contains all the information required by Cal. Code of Regs., tit. 20, § 1704, Appendix B (12-month process), and Public Resources Code 25550 (6-month process), with one exception, which is the receipt of the letter from the Bay Area Air Quality Management District accepting the project's air quality permit application as complete. Attachment A contains an overview of each technical discipline and staff's adequacy recommendation. Attachment B contains the individual data adequacy worksheets detailing staff's conclusions for each technical section.

The Pico Power Project AFC is one of the most complete applications recently filed with the Commission. Since my Data Adequacy Recommendation letter dated November 6, 2002, the Applicant has worked with Staff to provide supplemental information to make the application complete. The project now appears to be generally free of any significant issues that would prevent it from being successfully completed within the 6-month process time frames. Staff cannot yet declare the Pico Power Project AFC as data adequate because the Bay Area Air Quality Management District has not yet accepted the Pico Power Project air quality permit application as complete; but the District has given assurances that the application may be determined as complete as early as November 18, and almost certainly by the Commission's next business meeting on November 20, 2002.

However, though the areas of Biological Resources and Water Resources are now complete for data adequacy, these two areas present some challenges to meeting the 6-month review schedule. The two issues that Staff feels will be challenging to resolve in the 6-month process are analyzing and mitigating potential impacts to the Bay checker-spot butterfly from nitrogen deposition on serpentine soils, and analyzing the potential use of groundwater for backup

cooling water supplies. Staff has already opened lines of communications with the Applicant towards resolving the issues during the Staff Assessment process, and Staff and the Applicant have agreed to expedite the data request/response process in an effort to quickly resolve the issues.

Based on Staff's current recommendation, I would recommend that the Energy Commission find the AFC incomplete at the Energy Commission's Business Meeting on November 20, 2002, and recommend that you adopt the single deficiency contained in the attachment. However, Staff believes that before the November 20 Business Meeting, the Air District will likely be able to provide the needed permit completeness acceptance letter, and therefore Staff would have all information needed to be able to determine that the project is data adequate for both the 6-month and 12-month AFC-review process.

If you have any questions, please call Matt Trask, staff's Project Manager, at (916) 654-4067.

Sincerely,

STEVE LARSON  
Executive Director

**ATTACHMENT A**  
**OVERVIEW OF ENERGY COMMISSION STAFF'S**  
**REVISED DATA ADEQUACY RECOMMENDATION**  
**PICO POWER PLANT PROJECT**  
02-AFC-3

Technical Area	Data Adequacy			
	<i>12-Mo.</i>	Page No.	<i>6-Mo.</i>	Page No.
Air Quality	No	4	Yes	8
Biological Resources	Yes	10	Yes	14
Cultural Resources	Yes	16	--	--
Water Resources	--	--	Yes	19

# ATTACHMENT B

Adequacy Issue: Adequate \_\_\_\_\_ Inadequate **X**

## DATA ADEQUACY WORKSHEET

Revision No. 1 Date 11/14/02

Technical Area: Air Quality

Project: Pico Power Plant Project

Technical Staff: Gabriel Taylor

Project Manager: Matt Trask

Docket: 02-AFC-3

Technical Senior: Keith Golden

SITING REGULATIONS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
Appendix B (g) (1)	...provide a discussion of the existing site conditions, the expected direct, indirect and cumulative impacts due to the construction, operation and maintenance of the project, the measures proposed to mitigate adverse environmental impacts of the project, the effectiveness of the proposed measures, and any monitoring plans proposed to verify the effectiveness of the mitigation.	§2.2.11 p 2-16, 17 §8.1.1 through 8.1.8, p 8.1-1 through 8.1-58. Appendix 8.1-B	Yes	
Appendix B (g) (8) (A)	The information necessary for the air pollution control district where the project is located to complete a Determination of Compliance.	N/A	No	Permit application completeness determination from BAAQMD. Permit Application was provided to the District on 10/09/02.
Appendix B (g) (8) (B)	The heating value and chemical characteristics of the proposed fuels, the stack height and diameter, the exhaust velocity and temperature, the heat rate and the expected capacity factor of the proposed facility.	§8.1.5, p 8.1-22; Table 8.1-12, p 8.1-23; Table 8.1-15, p 8.1-24; §2.2.2 p 2-2 Appendix 8.1-B	Yes	
Appendix B (g) (8) (C)	A description of the control technologies proposed to limit the emission of criteria pollutants.	§2.2.8 p 2-14 §2.2.11 p 2-16 §8.1.6.3 p 8.1-45 to -47 Appendix 8.1-F	Yes	
Appendix B (g) (8) (D)	A description of the cooling system, the estimated cooling tower drift rate, the rate of water flow through the cooling tower, and the maximum concentrations of total dissolved solids.	§2.2.8 p 2-14 §8.1.5.1 p 8.1-22 Appendix 8.1-A Table 8.1A-6	Yes	
Appendix B (g) (8) (E)	The emission rates of criteria pollutants from the stack, cooling towers, fuels and materials handling processes, delivery and storage systems, and from all secondary emission sources.	§8.1.5.1 p 8.1-21 to -27; Tables 8.1-12 to -18 Appendix 8.1-A	Yes	
Appendix B (g) (8) (F)	A description of typical operational modes, and start-up and shutdown modes for the proposed project, including the estimated frequency of occurrence and duration of each mode, and estimated emission rate for each criteria pollutant during each mode.	§8.1.5.1 p 8.1-23 to -25; Tables 8.1-15 to 17 Appendix 8.1-A	Yes	

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Appendix B (g) (8) (G)	The ambient concentrations of all criteria pollutants for the previous three years as measured at the three Air Resources Board certified monitoring stations located closest to the project site, and an analysis of whether this data is representative of conditions at the project site. The applicant may substitute an explanation as to why information from one, two, or all stations is either not available or unnecessary.	§8.1.3 p 8.1-7 to -12 Tables 8.1-3a to -9	Yes	
Appendix B (g) (8) (H)	One year of meteorological data collected from either the Federal Aviation Administration Class 1 station nearest to the project or from the project site, or meteorological data approved by the California Air Resources Board or the local air pollution control district.	Electronic Submittal on CD  (note: five years of data was provided.)	Yes	
Appendix B (g) (8) (H) (i)	If the data is collected from the project site, the applicant shall demonstrate compliance with the requirements of the U.S. Environmental Protection Agency document entitled "On-Site Meteorological Program Guidance for Regulatory Modeling Applications" (EPA - 450/4-87-013 (August 1995), which is incorporated by reference in its entirety.)		N/A	
Appendix B (g) (8) (H) (ii)	The data shall include quarterly wind tables and wind roses, ambient temperatures, relative humidity, stability and mixing heights, upper atmospheric air data, and an analysis of whether this data is representative of conditions at the project site.	Appendix 8.1-B Electronic Submittal on CD	Yes	
Appendix B (g) (8) (I)	An evaluation of the project's direct and cumulative air quality impacts, consisting of the following:			

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Appendix B (g) (8) (I) (i)	A screening level air quality modeling analysis, or a more detailed modeling analysis if so desired by the applicant, of the direct inert pollutant impacts of project construction activities on ambient air quality conditions, including fugitive dust (PM <sub>10</sub> ) emissions from grading, excavation and site disturbance, as well as the combustion emissions [nitrogen oxides (NO <sub>x</sub> ), sulfur dioxide (SO <sub>2</sub> ), carbon monoxide (CO), and particulate matter less than 10 microns in diameter (PM <sub>10</sub> )] from construction-related equipment;	§8.1.5.4 p 8.1-44 Appendix 8.1-E Electronic Filing on CD	Yes	
Appendix B (g) (8) (I) (ii)	A screening level air quality modeling analysis, or a more detailed modeling analysis if so desired by the applicant, of the direct inert criteria pollutant (NO <sub>x</sub> , SO <sub>2</sub> , CO and PM <sub>10</sub> ) impacts on ambient air quality conditions of the project during typical (normal) operation, and during shutdown and startup modes of operation. Identify and include in the modeling of each operating mode the estimated maximum emissions rates and the assumed meteorological conditions; and	§8.1.5.1 p 8.1-27 to -39 §8.1.5.3 p 8.1-41 to -44 Appendix 8.1B Electronic Filing on CD	Yes	
Appendix B (g) (8) (I) (iii)	A protocol for a cumulative air quality modeling impacts analysis of the project's typical operating mode in combination with other stationary emissions sources within a six mile radius which have received construction permits but are not yet operational, or are in the permitting process. The cumulative inert pollutant impact analysis should assess whether estimated emissions concentrations will cause or contribute to a violation of any ambient air quality standard.	Appendix 8.1H Electronic Filing on CD  (note: this is a completed cumulative modeling analysis rather than a protocol)	Yes	
Appendix B (g) (8) (J)	If an emission offset strategy is proposed to mitigate the project's impacts under subsection (g)(1), provide the following information:			

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Project Manager: Matt Trask

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Appendix B (g) (8) (J) (i)	The quantity of offsets needed;	§8.1.6.3 pgs 8.1-47 to -49	Yes	
Appendix B (g) (8) (J) (ii)	Potential offset sources, including location, and quantity of emission reductions; and	Confidential Filing	Yes	
Appendix B (g) (8) (J) (iii)	Method of emission reduction.	Confidential Filing	Yes	
Appendix B (g) (8) (K)	A topographic map containing contour and elevation data, at a scale of 1:24,000, showing the area within 6 miles of the power plant site.	Oversized maps provided separately.	Yes	
Appendix B (h) (1) (A)	Tables which identify laws, regulations, ordinances, standards, adopted local, regional, state, and federal land use plans, and permits applicable to the proposed project, and a discussion of the applicability of each. The table or matrix shall explicitly reference pages in the application wherein conformance, with each law or standard during both construction and operation of the facility is discussed;	Table 8.1-37 p 8.1-54 to -56	Yes	
Appendix B (h) (1) (B)	Tables which identify each agency with jurisdiction to issue applicable permits and approvals or to enforce identified laws, regulations, standards, and adopted local, regional, state and federal land use plans, and agencies which would have permit approval or enforcement authority, but for the exclusive authority of the commission to certify sites and related facilities.	Table 8.1-10 p 8.1-13	Yes	
Appendix B (h) (2)	A discussion of the conformity of the project with the requirements listed in subsection (h)(1)(A).	§8.1.6 p 8.1-44 to -52	Yes	
Appendix B (h) (3)	The name, title, phone number, and address, if known, of an official within each agency who will serve as a contact person for the agency.	Table 8.1-10 p 8.1-13	Yes	

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Technical Staff: Gabriel Taylor

Project Manager: Matt Trask

Docket: 02-AFC-3

Technical Senior: Keith Golden

SITING REGULATIONS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
Appendix B (h) (4)	A schedule indicating when permits outside the authority of the commission will be obtained and the steps the applicant has taken or plans to take to obtain such permits.	§8.1.4 p 8.1-13 & November 2002 AFC Supplement in Response to Data Adequacy Comments	<u>Yes</u> <del>No</del>	<del>A schedule indicating when permits outside the authority of the commission will be obtained.</del>



Adequacy Issue: Adequate ☒ Inadequate

# DATA ADEQUACY WORKSHEET

(Six Month Expedited Process)

Revision No. 1 Date 11-14-02

Technical Area: **Air Quality**

Project: Pico Power Project

Technical Staff: Gabriel Taylor

Project Manager: Matt Trask

Docket: 02-AFC-3

Technical Senior: Keith Golden

SITING REGULATIONS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
§2022(b)(1) (All)	Substantial evidence that the project as proposed in the application will comply with all standards, ordinances, and laws applicable at the time of certification including;			
§2022(b)(1)(A) (All)	A list of such standards, ordinances, and laws;	§8.1.4.1 p 8.1-13 to -16 Table 8.1-37	Yes	
§2022(b)(1)(B) (All)	Information demonstrating that the project as proposed in the application will comply with all such standards, ordinances, and laws;	§8.1.6 p 8.1-44 to -52	Yes	
§2022(b)(1)(C) (All)	Where a standard, ordinance, or law is expected to change between the time of filing an application and certification, information from the responsible jurisdiction documenting the impending change, the schedule for enactment of the change, and whether the proposed project will comply with the changed standard, ordinance, or law.; and		N/A	
§2022(b)(1)(D) (All)	A list of the requirements for permitting by each federal, state, regional, and local agency that has jurisdiction over the proposed project or that would have jurisdiction, but for the exclusive jurisdiction of the commission, and the information necessary to meet those requirements;	<u>November 2002 AFC Supplement in Response to Data Adequacy Comments</u>	<u>Yes No</u>	<del>A list of the permitting requirements (Section 1.7 of the AFC noted that there was to be a table of the additional permits and processing schedules in each resource category, but none was provided in the Air Quality section of the AFC. Additionally, all resource categories, other than Air Quality, have a section titled Permits Required and Schedule.)</del>
§2022(b)(2)	Substantial evidence that the project as proposed in the application will not cause a significant adverse impact on the environment, including the following:			

Adequacy Issue: Adequate ☒ Inadequate

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(Six Month Expedited Process)

Revision No. 1 Date 11-14-02

Technical Area: **Air Quality**

Project: Pico Power Project

Technical Staff: Gabriel Taylor

Project Manager: Matt Trask

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SITING REGULATIONS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
§2022(b)(2)(A) (Air Quality)	A detailed modeling analysis assessing whether the cumulative impacts of all inert criteria pollutants (NOx, SO2, CO, and PM10) from the project's typical operating mode in combination with all stationary emissions sources within a six-mile radius of the proposed site that have received construction permits, but are not yet operational, and all stationary emissions sources that are currently undergoing air district permit application review will cause or contribute to a violation of any ambient air quality standard;	Appendix 8.1H Electronic Filing on CD	Yes	
§2022(b)(2)(B) (Air Quality)	A description of the project's planned initial commissioning phase, which is the phase between the first firing of emissions sources and the consistent production of electricity for sale to the market, including the types and durations of equipment tests, criteria pollutant emissions, and monitoring techniques to be used during such tests, and air dispersion modeling analyses of the impacts of those emissions on state and federal ambient air quality standards for NO2, SO2, CO, and PM10;	§8.1.5.1 p 8.1-35 & November 2002 AFC Supplement in Response to Data Adequacy Comments	<u>Yes</u> No	<del>A description of the commissioning phase, including a description of the types of equipment tests and their durations, emissions, and monitoring techniques used during the tests. (See the description of the commissioning phase for the Henrietta Peaker Project as a suitable level of detail, but please note Pico Power Project is a combined cycle project that will have additional commissioning activities that need to be described).</del>
§2022(b)(2)(C) (Air Quality)	A detailed description of the mitigation, which an applicant shall propose, for all impacts from criteria pollutants that currently exceed state or federal ambient air quality standards, but are not subject to offset requirements under the district's new source review rule;	§8.1.5.1 p 8.1-25 §8.1.6.3 p 8.1-47 to 8.1-49 §8.1.8 p 8.1-52 Appendix 8.1-E November 2002 AFC Supplement in Response to Data Adequacy Comments	<u>Yes</u> No	<del>A detailed description of the mitigation proposed for operating emissions of criteria pollutants that exceed state or federal standards. These pollutants are VOC (ozone precursor), PM<sub>10</sub>, and SO<sub>2</sub> (PM<sub>10</sub> precursor).</del>
§2022(b)(2)(D) (Air Quality, Public Health)	A modeling analysis that identifies the extent of potential public exposure to toxic substances, as identified in subsection (g)(9)(A) of Appendix B, resulting from normal facility operation;	§8.1.5.2 pgs 8.1-40 to -41 Appendix 8.1-D Electronic Filing on CD	Yes	

Adequacy Issue: Adequate **X** Inadequate \_\_\_\_\_  
 Technical Area: **Biological Resources** \_\_\_\_\_  
 Project Manager: **Matt Trask** \_\_\_\_\_

## DATA ADEQUACY WORKSHEET

Project: Pico Power Project  
 Docket: 02-AFC-3

Revision No. 1 Date 11/14/02  
 Technical Staff: Stuart Itoga  
 Technical Senior: Jim Brownell

SITING REGULATIONS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
Appendix B (g) (1)	...provide a discussion of the existing site conditions, the expected direct, indirect and cumulative impacts due to the construction, operation and maintenance of the project, the measures proposed to mitigate adverse environmental impacts of the project, the effectiveness of the proposed measures, and any monitoring plans proposed to verify the effectiveness of the mitigation.	Existing conditions: AFC, Chapter 8, Section 8.2, Subsection 8.2.1.10, pp. 8.2-16-8.2-17.  Impacts: AFC, Chapter 8, Section 8.2, Subsections 8.2.2-8.2.3, pp. 8.2-18-8.2-26.  Mitigation: AFC, Chapter 8, Section 8.2, Subsection 8.2.4, pp. 8.2-27-8.2-28.	Yes  Yes  Yes	
Appendix B (g) (13) (A)	A regional overview and discussion of biological resources, with particular attention to sensitive biological resources near the project, and a map at a scale of 1:100,000 (or some other suitable scale) showing their location in relation to the project.	Discussion: AFC, Chapter 8, Section 8.2, Subsections 8.2.1.1-8.8.1.8, pp. 8.2-1-8.2-13.  Maps: AFC, Chapter 8, Section 8.2, Subsection 8.2.2.8, figures 8.2-1, 8.2-2.	Yes  Yes	
Appendix B (g) (13) (B)	A discussion and detailed maps at a scale of 1:6,000, of the biological resources at the site of the proposed project and related facilities, and in areas adjacent to them, out to a mile from the site and 1000 feet from the outer edge of linear facility corridors. Include a list of the species actually observed and those with a potential to occur. The discussion and maps shall address the distribution of community types, denning or nesting sites, population concentrations, migration corridors, breeding habitats, and the presence of sensitive biological resources.	Discussion: AFC, Chapter 8, Section 8.2, Subsection 8.2.1.1-8.2.1.8, pp. 8.2-1-8.2-13.  Maps: AFC, Chapter 8, Section 8.2, Subsection 8.2.1.8, figures 8.2-1, 8.2-2.	Yes  Yes	

Adequacy Issue: Adequate ☒ InadequateTechnical Area: **Biological Resources**Project Manager: **Matt Trask****DATA ADEQUACY WORKSHEET**Project: **Pico Power Project**Docket: **02-AFC-3**Revision No. **1** Date **11/14/02**Technical Staff: **Stuart Itoga**Technical Senior: **Jim Brownell**

SITING REGULATIONS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
Appendix B (g) (13) (C)	A description of all studies and surveys used to provide biological information about the project site, including seasonal surveys and copies of the California Department of Fish and Game's Natural Diversity Data Base Survey Forms, "California Native Species Field Survey Forms", and "California Natural Community Field Survey Forms", completed by the applicant. Include the dates and duration of the studies, methods used to complete the studies, and the names and qualifications of individuals conducting the studies.	Studies/Surveys: AFC, Chapter 8, Section 8.2, Subsection 8.2.1.9, pp. 8.2-13, 8.2-14.  NDDDB Forms: AFC Volume II, Appendix 8.2-A.  Qualifications: AFC Volume II, Appendix 8.2-B.	Yes  Yes  Yes	
Appendix B (g) (13) (D)	A discussion of all permanent and temporary impacts to biological resources from site preparation, construction activities, and plant operation. Discussion of impacts must consider impacts from cooling tower drift, and from the use and discharge of water during construction and operation. For facilities which use once-through cooling or take or discharge water directly from or to natural sources, discuss impacts resulting from entrainment, impingement, thermal discharge, effluent chemicals, type of pump (if applicable), temperature, volume and rate of flow at intake and discharge location, and plume configuration in receiving water.	Impacts: AFC, Chapter 8, Section 8.2, Subsection 8.2.2, 8.2.3, pp. 8.2-18-8.2-27.  Cooling tower drift: <u>November 2002 AFC Supplement in Response to Data Adequacy Comments, Section 8.2, # 3, pp. S-12-13.</u>	Yes  <u>Yes No</u>	<del>Provide discussion of potential significant impacts to biological resources from proposed project's cooling tower drift.</del>
Appendix B (g) (13) (E)	A discussion of the following:			
Appendix B (g) (13) (E) (i)	All measures proposed to avoid and/or reduce any adverse impacts;	AFC, Chapter 8, Section 8.2, Subsection 8.2.4, pp. 8.2-27-8.2-28.	Yes	
Appendix B (g) (13) (E) (ii)	All measures proposed to mitigate any adverse impacts, including any proposals for off-site mitigation; and	AFC, Chapter 8, Section 8.2, Subsection 8.2.4, pp. 8.2-27-8.2-28.	Yes	

Adequacy Issue: Adequate ☒ Inadequate ☐  
 Technical Area: **Biological Resources**  
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Appendix B (g) (13) (E) (iii)	Any educational programs proposed to enhance employee awareness in order to protect biological resources.	Educational programs: <u>November 2002 AFC Supplement in Response to Data Adequacy Comments, Section 8.2, # 4, pg. S-13.</u>	<u>Yes No</u>	<del>Provide a discussion on the need for (or lack thereof) a biological resources educational awareness program.</del>
Appendix B (g) (13) (F)	A discussion of compliance and monitoring programs proposed to ensure the effectiveness of mitigation measures incorporated into the project.	AFC, Chapter 8, Section 8.2, Subsection 8.2.4, pp. 8.2-27, 8.2-28.	Yes	
Appendix B (g) (13) (G)	A discussion of native fish and wildlife species of commercial and/or recreational value that could be impacted by the project.	AFC, Chapter 8, Section 8.2, Subsection 8.2.1.6, pp. 8.2-2.	Yes	
Appendix B (g) (13) (H)	For purposes of this section, sensitive biological resources are one of the following:			
Appendix B (g) (13) (H) (i)	Species listed under state or federal Endangered Species Acts;	AFC, Chapter 8, Section 8.2, Subsection 8.2.1.8, pp. 8.2-2-8.2-13.	Yes	
Appendix B (g) (13) (H) (ii)	Resources defined in sections 1702 (q) and (v) of Title 20 of the California Code of Regulations; and	AFC, Chapter 8, Section 8.2, Subsection 8.2.1.8, pp. 8.2-2-8.2-13.	Yes	
Appendix B (g) (13) (H) (iii)	Species or habitats identified by legislative acts as requiring protection.	AFC, Chapter 8, Section 8.2, Subsections 8.2.1.3-8.2.1.4, 8.2.1.7-8.2.1.8, pp. 8.2-1-8.2-13.	Yes	
Appendix B (h) (1) (A)	Tables which identify laws, regulations, ordinances, standards, adopted local, regional, state, and federal land use plans, and permits applicable to the proposed project, and a discussion of the applicability of each. The table or matrix shall explicitly reference pages in the application wherein conformance, with each law or standard during both construction and operation of the facility is discussed;	AFC, Chapter 8, Section 8.2, Subsection 8.2.7, Table 8.2-5, pp. 8.2-29-8.2-33.	Yes	

Adequacy Issue: Adequate **X** Inadequate \_\_\_\_\_  
 Technical Area: **Biological Resources**  
 Project Manager: **Matt Trask**

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Appendix B (h) (1) (B)	Tables which identify each agency with jurisdiction to issue applicable permits and approvals or to enforce identified laws, regulations, standards, and adopted local, regional, state and federal land use plans, and agencies which would have permit approval or enforcement authority, but for the exclusive authority of the commission to certify sites and related facilities.	AFC, Chapter 8, Section 8.2, Subsection 8.2.7, Table 8.2-5, pp. 8.2-29-8.2-33.	Yes	
Appendix B (h) (2)	A discussion of the conformity of the project with the requirements listed in subsection (h)(1)(A).	AFC, Chapter 8, Section 8.2, Subsection 8.2.7, Table 8.2-5, pp. 8.2-29-8.2-33.	Yes	
Appendix B (h) (3)	The name, title, phone number, and address, if known, of an official within each agency who will serve as a contact person for the agency.	AFC, Chapter 8, Section 8.2, Subsection 8.2.7, Table 8.2-6, page 8.2-28.	Yes	
Appendix B (h) (4)	A schedule indicating when permits outside the authority of the commission will be obtained and the steps the applicant has taken or plans to take to obtain such permits.	AFC, Chapter 8, Section 8.2, Subsection 8.2.7, Table 8.2-5, pp. 8.2-29-8.2-33.	Yes	

Adequacy Issue: Adequate ☒ Inadequate

## DATA ADEQUACY WORKSHEET

(Six Month Expedited Process)

Revision No. 01 Date 11/13/02

Technical Area: **Biological Resources**

Project: Pico Power Project

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SITING REGULATIONS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
§2022(b)(1) (All)	Substantial evidence that the project as proposed in the application will comply with all standards, ordinances, and laws applicable at the time of certification including;			
§2022(b)(1)(A) (All)	A list of such standards, ordinances, and laws;	AFC, Chapter 8, Section 8.2, Subsection 8.2.2, Table 8.2-5, pp. 8.2-29-8.2-33.	Yes	
§2022(b)(1)(B) (All)	Information demonstrating that the project as proposed in the application will comply with all such standards, ordinances, and laws;	<u>November 2002 AFC Supplement in Response to Data Adequacy Comments, Section 8.2, pp. 1-13.</u>	<u>Yes No</u>	<del>Provide impact analysis for potential operational impacts to bay checkerspot butterfly and critical habitat and a project specific proposal to mitigate potential impacts to less than significant.</del>
§2022(b)(1)(C) (All)	Where a standard, ordinance, or law is expected to change between the time of filing an application and certification, information from the responsible jurisdiction documenting the impending change, the schedule for enactment of the change, and whether the proposed project will comply with the changed standard, ordinance, or law.; and	N/A		
§2022(b)(1)(D) (All)	A list of the requirements for permitting by each federal, state, regional, and local agency that has jurisdiction over the proposed project or that would have jurisdiction, but for the exclusive jurisdiction of the commission, and the information necessary to meet those requirements;	AFC, Chapter 8, Section 8.2, Subsections 8.2.6, 8.2.7, Table 8.2.5, pp. 8.2-28-8.2-33.		
§2022(b)(2)	Substantial evidence that the project as proposed in the application will not cause a significant adverse impact on the environment, including the following:			

Technical Area: **Biological Resources**

Project: Pico Power Project

Technical Staff: Stuart Itoga

Project Manager: Matt Trask

Docket: 02-AFC-3

Technical Senior: Jim Brownell

[illegible]



Adequacy Issue: Adequate **X** Inadequate \_\_\_\_\_  
 Technical Area: **Cultural Resources**  
 Project Manager: **Matt Trask**

# DATA ADEQUACY WORKSHEET

Project: **Pico Power**  
 Docket: **02-AFC-3**

Revision No. **1** Date **11/12/02**  
 Technical Staff: **Dorothy Torres**  
 Technical Senior: **Dale Edwards**

SITING REGULATIONS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
Appendix B (g) (1)	...provide a discussion of the existing site conditions, the expected direct, indirect and cumulative impacts due to the construction, operation and maintenance of the project, the measures proposed to mitigate adverse environmental impacts of the project, the effectiveness of the proposed measures, and any monitoring plans proposed to verify the effectiveness of the mitigation.	AFC Vol II, Appendix 8.14 p. 6 to 8  AFC Vol I, p. 8.3-23	Yes	
Appendix B (g) (2) (A)	A brief summary of the ethnology, prehistory, and history of the region in which the project site and related facilities are located and maps at a scale of 1:24,000, indicating areas of ethnographic occupation. The region may vary depending on the extent of the territory occupied or used by prehistoric cultures indigenous to the area in which the project is located.	AFC Vol I, p. 8.3-2 to 8.3-11  AFC Vol I Fig 8.3-4	Yes	
Appendix B (g) (2) (B)	A description of all literature searches and field surveys used to provide information about known cultural resources in the project vicinity. If survey records of the area potentially physically affected by the project are not available, and the area has the potential for containing significant cultural resources, the applicant shall submit a new or revised survey for any portion of the area lacking comprehensive survey data. A discussion of the dates of the surveys, methods used in completing the surveys, and the identification and qualification of the individuals conducting the surveys shall be included.	AFC Vol I p. 8.3-19  AFC Vol I, p. 8.3-19  <u>November 2002 AFC Supplement p. S-16 to S-18.</u>	<u>Yes</u> <del>No</del>	<del>Please provide the results of a cultural resources survey of the area surrounding the proposed power plant site and gas compressor station and conducted by an architectural historian or a historian with a background in industrial or architectural history. Identify and include descriptions of historic cultural resources (buildings, structures, objects, sites, and districts) adjacent to the project site and gas compressor station (one property deep that appear to be 45 or more years old).</del>  <del>Provide a characterization of the area and include information regarding the transmission lines that will be moved as a result of the project.</del>

Adequacy Issue: Adequate ☒ Inadequate ☐  
 Technical Area: **Cultural Resources**  
 Project Manager: **Matt Trask**

# DATA ADEQUACY WORKSHEET

Revision No. 1 Date 11/12/02  
 Technical Staff: Dorothy Torres  
 Technical Senior: Dale Edwards

Project: Pico Power  
 Docket: 02-AFC-3

SITING REGULATIONS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
Appendix B (g) (2) (C)	A discussion of the sensitivity of the project area described in subsection (g)(2)(A) and the presence and significance of any known archeological sites and other cultural resources that may be affected by the project. Information on the specific location of archeological resources shall be included in a separate appendix to the application and submitted to the Commission under a request for confidentiality pursuant to Title 20, California Code of Regulations, § 2501 et seq.	AFC Vol I, p. 8.3-20  Confidential Filing, DPR forms  <u>November 2002 AFC Supplement</u> <u>p. S-16 to S-18</u>	<u>Yes</u> <del>No</del>	<del>If transmission lines (lines that will be moved) or other cultural resources are more than 45 years old, please provide DPR Forms 523.</del>  <del>Provide a map (similar to Fig 8.3-1) that illustrates the relationship between the project components and cultural resources sites whether the sites were identified in the records search or by survey.</del>
Appendix B (g) (2) (D)	A summary of contacts and communications with, and responses from, Native American representatives who may have an interest in heritage lands and/or resources potentially affected by the proposed project.	AFC Vol I, p. 8.3-19  AFC Vol II , Copies of letters sent to Native Americans	Yes	
Appendix B (g) (2) (E)	In the discussion on mitigation and monitoring prepared pursuant to subsection (g)(1), a discussion of any educational programs proposed to enhance awareness of potential impacts to archeological resources by employees and contractors, measures proposed for mitigation of impacts to known cultural resources, and a set of contingency measures for mitigation of potential impacts to previously unknown cultural resources.	AFC Vol I, p. 8.3-23 to p. 8.3-25	Yes	
Appendix B (h) (1) (A)	Tables which identify laws, regulations, ordinances, standards, adopted local, regional, state, and federal land use plans, and permits applicable to the proposed project, and a discussion of the applicability of each. The table or matrix shall explicitly reference pages in the application wherein conformance, with each law or standard during both construction and operation of the facility is discussed;	AFC Vol I, p. 8.3-27	Yes	

Adequacy Issue: Adequate ☒ Inadequate ☐  
 Technical Area: **Cultural Resources**  
 Project Manager: **Matt Trask**

## DATA ADEQUACY WORKSHEET

Project: **Pico Power**  
 Docket: **02-AFC-3**

Revision No. **1** Date **11/12/02**  
 Technical Staff: **Dorothy Torres**  
 Technical Senior: **Dale Edwards**

SITING REGULATIONS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
Appendix B (h) (1) (B)	Tables which identify each agency with jurisdiction to issue applicable permits and approvals or to enforce identified laws, regulations, standards, and adopted local, regional, state and federal land use plans, and agencies which would have permit approval or enforcement authority, but for the exclusive authority of the commission to certify sites and related facilities.	AFC Vol I, p. 8.3-26	Yes	
Appendix B (h) (2)	A discussion of the conformity of the project with the requirements listed in subsection (h)(1)(A).	AFC Vol I, p. 8.3-26		
Appendix B (h) (3)	The name, title, phone number, and address, if known, of an official within each agency who will serve as a contact person for the agency.	AFC Vol I, p. 8.3-26	Yes	
Appendix B (h) (4)	A schedule indicating when permits outside the authority of the commission will be obtained and the steps the applicant has taken or plans to take to obtain such permits.	AFC Vol I, p. 8.3-26	Yes	

Adequacy Issue: Adequate ☒ Inadequate

## DATA ADEQUACY WORKSHEET

(Six Month Expedited Process)

Revision No. 1 Date 11-13-02

Technical Area: **Water Resources**

Project: Pico Power Project

Technical Staff: Tony Mediati

Project Manager: Mathew Trask

Docket: 02-AFC-3

Technical Senior: Dick Anderson

SITING REGULATIONS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
§2022(b)(1) (All)	Substantial evidence that the project as proposed in the application will comply with all standards, ordinances, and laws applicable at the time of certification including;	To Be considered Data Adequate for the six month expedited process please provide the following information in addition to the information requested on the standard twelve month data adequacy worksheet.		
§2022(b)(1)(A) (All)	A list of such standards, ordinances, and laws;	Sec. 8.15.6 Table 8.15-6	Yes	
§2022(b)(1)(B) (All)	Information demonstrating that the project as proposed in the application will comply with all such standards, ordinances, and laws;	<u>November 2002 AFC Supplement</u>	<u>Yes</u> <del>No</del>	<del>Please provide substantial evidence that the project as proposed in the application will comply with all standards, ordinances, and laws applicable at the time of certification. An example has been faxed to the applicant.</del>
§2022(b)(1)(C) (All)	Where a standard, ordinance, or law is expected to change between the time of filing an application and certification, information from the responsible jurisdiction documenting the impending change, the schedule for enactment of the change, and whether the proposed project will comply with the changed standard, ordinance, or law.; and	<u>November 2002 AFC Supplement</u>	Yes	
§2022(b)(1)(D) (All)	A list of the requirements for permitting by each federal, state, regional, and local agency that has jurisdiction over the proposed project or that would have jurisdiction, but for the exclusive jurisdiction of the commission, and the information necessary to meet those requirements;	<u>November 2002 AFC Supplement</u>	Yes	
§2022(b)(2)	Substantial evidence that the project as proposed in the application will not cause a significant adverse impact on the environment, including the following:			

Adequacy Issue: Adequate ☒ Inadequate

# DATA ADEQUACY WORKSHEET

(Six Month Expedited Process)

Revision No. 1 Date 11-13-02

Technical Area: **Water Resources**

Project: Pico Power Project

Technical Staff: Tony Mediati

Project Manager: Mathew Trask

Docket: 02-AFC-3

Technical Senior: Dick Anderson

SITING REGULATIONS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
§2022(b)(2)(E) (Water)	If the project will result in a discharge of waste that could affect the water quality of the state, a complete report of proposed waste discharge as required by section 13260 of the Water Code. This will allow for issuance of waste discharge requirements by the appropriate regional water quality control board within 100 days after filing the application in accordance with Public Resources Code section 25550(d);	November 2002 AFC Supplement	Yes	
§2022(b)(5)(B) (Water)	A will-serve letter or similar document from each provider of water to the project, indicating each provider's willingness to provide water to the project and describing all conditions under which the water will be provided, and a discussion of all other contractual agreements with the applicant pertaining to the provision of water to the project.	Appendix 7	Yes	